

HARBOUR EAST COMMUNITY COUNCIL  
PUBLIC INFORMATION MEETING  
MINUTES  
MARCH 3, 2004

PRESENT:                   Councillor Bruce Hetherington, Chair  
                              Councillor Ron Cooper  
                              Councillor Harry McInroy  
                              Councillor Brian Warshick  
                              Councillor Condo Sarto  
                              Councillor Jim Smith  
                              Councillor John Cunningham

STAFF:                     Mr. Barry Allen, Municipal Solicitor  
                              Mr. Kurt Pyle, Planner  
                              Ms. Julia Horncastle, Legislative Assistant

### **CALL TO ORDER**

Councillor Hetherington called the meeting to order at 7:00 p.m. advising the meeting was to address a proposal for a thirty eight unit condominium complex at Paddler's Cove Dartmouth. The Councillor advised that following this meeting the application will be coming forward to Community Council at a future date.

### **STAFF PRESENTATION AND COMMUNITY INPUT**

Mr. Kurt Pyle, Planner, with the aid of a Powerpoint presentation, outlined the proposed development.

**Ms. Wendy Lil**, MP, Dartmouth, stated there are many concerns with regards to development around Dartmouth lakes. She noted this is a wonderful opportunity for elected representatives, at all levels, to understand how much people are concerned and care about the quality of the lakes. She stated this development is violating some scale and density requirement by-laws that are in place in Dartmouth. She stated only the community can say what the lake means to them and their families. She encouraged Community Council to listen to the concerns of those present.

Councillor Hetherington clarified that the public will have another opportunity to speak at the Community Council when this application comes forward for public hearing.

**A resident** made a presentation regarding the registration of the property as a special places protection area.

**Ms. Marilyn More**, MLA, Dartmouth South-Portland Valley, noted that there was an ice house at Paddlers Cove at one time and her children and grandchildren have fond memories of Paddlers Cove. She said she is a member of the coalition to protect Dartmouth lakes, noting they are a group studying the impact of development on Dartmouth lakes, in particular Lake Banook and specifically Paddlers Cove. There are a number of areas that they feel need to be further investigated such as public policy, water quality, public access, compatibility of the existing neighbourhood, municipal infrastructure, vehicle and pedestrian safety, recreational and sporting use, archeological significance, etc. She stated they feel it is time to take a more thoughtful look and have full deliberation on what direction to take.

She stated for the immediate future they want to stop high density development on the lakes, particularly Lake Banook. She advised they are asking this not because they are anti development but they want to study options for full impact and public use around this part of Paddlers Cove. They want to have the municipal planning strategy updated as the guidelines used for this current development are out of date and don't reflect the values and principles

and priorities of the current residents of Dartmouth. She stated she wants to ensure that Dartmouth will continue to be known as the City of Lakes.

**Mr. Paul Bonn**, noted the development was noted as being seven stories over a parking garage and stated a parking garage makes it eight stories if it is above grade. He stated the residents would not like to see this development take place and are looking to the Community Council to not allow the development. He noted the staff report indicated some non compliant issues.

**Mr. Maurice Lloyd**, noted in Policy IP-5 one of the criteria to be taken into account is adequacy of the interior design, height, bulk and scale of the new apartment building with respect to the compatibility of the existing neighbourhood. He noted there is no way the proposed development fits into the neighbourhood. The policy also states that the Land Use By-law has to be taken into account. He advised policy IP-3 states that development is not premature or inappropriate by reason of preventing public access to shorelines or waterfront. Even though this has been a commercial property, there has been public use of this land. He stated there may be a detrimental economic or social effect on other areas of the city. This development on the lake would be setting a precedent.

**Mr. Carmen Moir** noted that there were aboriginal villages on the waterways of Dartmouth and indications are that Paddlers Cove may have been one of the areas between two of the villages. He stated there needs to be an archeological study done on Paddlers Cove, noting there has never been a foundation dug in this area as all the building erected in this area over the years have been built on slabs.

**Mr. Tom Giovanetti** stated he grew up around Lake Banook and was involved in planning of canoe championships. He noted Lake Banook has a rich history. Residents are concerned with the canoe course and environmental impacts on the lakes as a result of development. A large condo may change the wave patterns and the direction of the wind. He stated that unforeseen changes such as construction or the removal of trees could affect the wind conditions on the lake. He expressed concern that the once world renowned course could end up being a secondary training ground. The Dartmouth Lakes Advisory Board and the citizens should have a say in determining the fate of the lakes. The wind effect and the siltation of these lakes is only a small factor and change to the environment that could result from high density development. Traffic and parking lot drainage would be at the top of the list. He stated an environmental assessment should be done. He noted two 48 inch diameter sewers are joined by a 36 inch sewer pipe which is an unacceptable engineering practice. A moratorium on development around Lake Banook should be imposed until the results of the sewer capacity study is undertaken as the sewers may be overloaded as a large portion of Waverley Road, Woodlawn, Creighton Park run through these sewers.

**Mr. Michael Savage**, stated the lakes are very special to Dartmouth and this type of building on the lake in the absence of the MPS being updated is a mistake. He stated that if subsequent to the development Council realizes it has made a mistake it cannot be corrected.

**Ms. Maureen Mills**, Waverley Road, stated Dartmouth is growing and people have a lifestyle whereby they want to live in condo's and not be responsible for what taking care of a single family home entails. This type of development will have less of an environmental impact. She stated no one owns the lakes in the community. She noted everyone wants tourism but no one wants a hotel etc. She noted there is very little property left around Lake Banook that is not privately owned and built upon; therefore, still have the natural plant growth. She noted what could be built on this site as-of-right under the existing zoning. She stated the proposed development meets all HRM criteria. She stated there will be monitoring of the site during construction. She noted there are many other parks in the city available for recreation. She stated that this is the kind of development that sets an example for what kind of quality should be expected for any type of development in Downtown Dartmouth if we want to minimize environmental impact. She stated the footprint of these buildings is small.

**Mr. Ray Williams**, Bowling Avenue, expressed concern stating that, in his opinion, the development is a problem and if a survey was done the vast majority of people would be against the proposal.

**Ms. Christine Ann Smith** stated it is a high density development and should not be on a lake. She stated the proposed development may have to have infill and expressed concern with regards to maintaining the vegetation. She stated this will have a adverse effect on the lake if the hydrology is affected. She expressed concern that this type of structure will interfere with groundwater infiltration and may block the little stream that currently flows into the lake. She stated this type of development will also have an adverse effect on wildlife and fish. She advised she would recommend this type of structure not be developed on lakes, it should be further back and there should be more of a buffer zone. In response to the question of infilling, Mr. Pyle advised there would be no infilling as a result of this development and vegetation will be maintained.

**Mr. Joe Rowlands** stated Dartmouth is the city of lakes and any impact of this type of development on the lakes will not be know for a number of years.

**A resident** stated the wind study was based on assumptions and there may be information missing. The building will have an effect on the wind flow and the study does not take into effect the turbulence created by the building and the typography.

**Mr. Andrew Cole** stated the proposed development does not fit in with the present skyline

of the area. He stated he did not feel this development should go ahead.

**A resident** of Forest Road stated this is the wrong building as it does not fit in with what has been established as the city scape around lakes. She suggested the developer rethink the design. She stated the residents want a say in what the city and their community looks like.

**Ms. Shelly Hiltz** stated development around lakes is making it totally impossible to find places on the lakes to take children out onto the lakes to train. She stated that Lake Banook as it is presently is overburdened. She stated HRM needs to protect the lakes from sewers and runoff. Clubs have put a lot of volunteer effort into young students and there is a need to protect, not destroy the lakes.

**Mr. Tim Olive** stated it is time to step back and look at how HRM is looking after the lakes. He quoted from the Downtown Dartmouth Plan, noting there needs to be community input. He stated changes could be made to reflect the concerns with the bulk and scale of development in the area. He advised the MPS is thirty years old and needs to be updated. He stated the residents are asking for a moratorium on development on the land around the lakes. He suggested a community advisory committee be established to address the development of a new secondary planning strategy specifically addressing high rise development next to the lakes.

**A resident** stated one of the concerns is that moving on this project would postpone future opportunities. She asked if consideration has been given to future access to the lakes such as docking facilities. In response, Councillor Hetherington advised that if a dock was proposed the developer would have to apply to the Department of the Environment and HRM for approval.

**Mr. Ian Bailey**, Lucien Drive, noted property development currently in the area, stating this development will not depreciate the value of the nearby properties.

**Mr. John Ross** noted the planning by-law states that any development that goes on this site must meet with the height and density of the existing neighbourhood, noting there is no property in the existing neighbourhood over two storeys. He stated this development does not comply with the by-laws that currently exist.

**Mr. Andrew Cole** stated Dartmouth is presented with a choice for the future vision so that the area could be considered as a green space.

**A resident** of Lakeview Avenue stated he and his family moved to this area because of the fact that it was a beautiful city. He stated that the building does not fit into the neighbourhood.

**Mr. Steve Carew**, Creighton Park, stated people need to access these areas. People need to have areas where they can go for leisure and relaxation and not have to look upon such a development on the lake.

**Mr. Charlie Moffatt**, Slater Street, stated he spent many hours on the lake and expressed concern with the development of condos on the lakeshore and the resulting silt and runoff. He also expressed concern with the development having the effect of creating wind tunnels on the paddling course. He requested Community Council not approve the development.

**Ms. Nancy Witherspoon**, 27 Diana Grace, stated old infrastructure may not be able to support this new development with regards to capacity. There needs to be significant improvement in the plan and techniques used and in the monitoring of silt. She suggested there be natural vegetation to reduce runoff into the lake. She stated there won't be value in properties if the lakes are not protected and clean. She suggested a revisit of the Dartmouth Lakes Advisory Board process be undertaken.

**Mr. Tim Conrad**, Creighton Park Road, noted the lake is not completely natural as one of the speakers had indicated that the lake had been dredged to provide for the canoe course. There are a number of environmental issues that have to be considered. He suggested a commission be set up to work with developers addressing what the residents would like the community to look like.

**Ms. Susan Gillis**, stated there needs to be a plan in place to encompass all the lakes in HRM. There is a lack of a cohesive plan. She said she is speaking against the development because it is not part of any overall current plan and HRM needs an overall plan. She expressed concern that if this development is approved there will be other proposals for development around other lakes.

**Mr. Barry Zwicker**, Duncraggen Drive, stated the building is not nine storeys, it is seven stories including the penthouse and parking structure. He stated the planning strategy has clear policies in place with respect to lake protection. He advised that regulating development is only a partial way of protecting land around lakes. He noted the key issue with Lake Banook is the fact is that it is a major recreational lake for the city and it was not seen as a lake where additional lands would be acquired for open space or passive recreation use. He noted the site contains buildings and paved parking surfaces with no control over storm water runoff. This project reduces the amount of impervious surface which will help get rainwater into the ground and will have control devices which will treat stormwater before it goes into the lake and improve the quality of discharge. He stated there will be a piece of parkland and access to the lake will be provided along the sea wall.

**Ms. Laura Ross** spoke against the development proposal stating it is not suitable for the lake.

**Mr. Darryll Fraser** spoke against the proposal and the building of this development on the lake.

**Mr. Jerry Pye**, MLA, Dartmouth North, stated the lakes are very important to the people of Dartmouth. He stated it is his understanding that the property was once infilled and therefore needs to be looked at with respect to this issue. He stated the citizens have spoken and make their wishes know loud and clear.

**Ms Mary Maxwell** stated residents are not in favour of high density development as it will also result in an increase in traffic.

**Mr. Stan McLean**, Dartmouth, reaffirmed that the residents of Dartmouth were not in favour of the proposed development.

### **ADJOURNMENT**

Councillor Hetherington thanked staff for their presentation and the residents for their input. The Councillor advised that the concerns and issues raised at this meeting will be forwarded to staff who will provide a report to Community Council at a later date.

There being no other business, the meeting was adjourned at 9:45 p.m.

Julia Horncastle  
Legislative Assistant